

REMARKS

The amendments above and the comments herein are presented to address the June 30, 2005 Office Action regarding the above-identified application.

Applicants had previously elected claims 1 and 2 to address the July 9, 2004 election requirement. The March 21, 2005 response the first Action on the merits replaced elected claims 1 and 2 with claims 28 and 29. The July 30, 2005 Action held that the earlier response filed on March 21, 2005 was not proper, because it cancelled all of the elected claims and shifted the invention to new claims directed to a non-elected species.

By the amendment above, Applicants have now presented two more new claims 30 and 31. New claims 30 and 31 substantially reinstate original elected claims 1 and 2. When compared to the original versions, however, new claims 30 and 31 incorporate amendments intended to help distinguish over art applied in the December 21, 2004 first Action on the merits (to which the March 21, 2005 submission had been intended to respond). The following are copies of new claims 30 and 31, marked up like amended claims, showing the changes that have been made from the original versions of elected claims 1 and 2.

30. [[An]] A display apparatus, for conducting video display through address operation on display lines based upon ~~basis of~~ a video signal ~~wherein~~ comprising:

a display portion, being formed with display lines thereon, each display line of which comprises X and Y electrodes, wherein electrodes of the display portion are disposed in parallel and in XY/YX order;

wherein scanning pulses of same phase are applied to a plurality of first display lines X electrodes in a first field, ~~building up a one frame therewith,~~ and scanning pulses ~~of same phase~~ are applied to a plurality of second display lines Y electrodes in a second field thereof, building up one frame therewith, thereby conducting the address operation.

31. [[An]] A display apparatus comprising: ~~X and Y electrodes, being disposed in parallel to each other~~

a display portion having X and Y electrodes disposed in XY/YX/XY/YX...order in parallel with each other in a pair pairs, for forming one display line therewith, and an address electrode being disposed [[to]] separate from and to cross over ~~said both~~ the X and Y electrodes, in plural numbers thereof, ~~wherein:~~

wherein scanning pulses of same phase are applied to the X electrodes of first display lines in a first field, ~~building up a one frame therewith~~, and scanning pulses of same phase are applied to the Y ~~electrode~~ electrodes of second display lines in a second field thereof, building up one frame therewith, thereby conducting the address operation, so as to perform video display thereon.

The original version of claim 2 specified X and Y electrodes, therefore addition of a recitation regarding a display portion having such electrodes to claim 1 (now 30) does not cause a shift to a non-elected invention. The elected claims did not specify an order of the X and Y electrodes, and as such, the original elected claims were generic with respect to different possible orders of these electrodes. It is therefore submitted that addition of recitations regarding XY/YX order or XY/YX/XY/YX...order also should not cause a shift to a non-elected invention. It is therefore submitted that the amended versions of the elected claims, now claims 30 and 31, encompass elected subject matter and do not cause a shift to a non-elected species invention.

Presumably claims have been examined, not just an embodiment described in the specification and drawings. Claims 1 and 2 were elected and examined on the merits. New claims 30 and 31 are directed to the same examined subject matter, albeit with additional recitations. It is submitted that examination of amended versions of claims 1 and 2, even though

presented as new claims 30 and 31, is entirely appropriate and fully consistent with the election and examination to date in this application.

Prompt favorable reconsideration, on the basis of claims 30 and 31, is earnestly solicited. Claims 28 and 29 have been recast as dependent claims. Even if still deemed directed to a non-elected or unexamined species, since they depend from claims 30 and 31, upon allowance of claims 30 and 31, amended claims 28 and 29 should be joined with 30 and 31 and allowed to issue in the patent arising from this application.

Claims 30 and 31 (and thus dependent claims 28 and 29) are believed to be patentable over the art applied in the December 21, 2004 Office Action. For example, claim 30 specifies XY/YX order, and claim 31 specifies XY/YX/XY/YX...order. It is believed that Awamoto et al. alone (applied 102 against claim 1) or Awamoto et al. taken in combination with Matsumoto et al. (applied 103 against claim 2) would have XYXY alternating order. For example, Awamoto et al. discloses a subframe technology of high resolution and high gradation in a plasma display apparatus having a conventional X, Y, X, Y, ...structure. Hence, Awamoto et al. does not meet the independent claim requirements. Addition of Matsumoto et al. would not overcome this deficiency of Awamoto et al. The Matsumoto et al. patent discloses a liquid crystal display device. For example, Matsumoto fails to suggest an XY/YX arrangement of electrodes applicable to use in the Awamoto et al. device. Any combination of these two patents would still have a conventional X, Y, X, Y, ... electrode order (from Awamoto et al.).

As such, the applied art would not meet all of the requirements of either independent claim, under a theory of anticipation or a theory of obvious. Hence, claims 30 and 31 should be patentable over the art. Claims 28 and 29 should be allowable therewith.

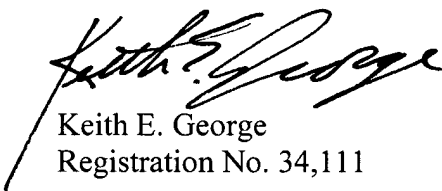
Application No.: 09/914,681

It is respectfully submitted that this response addresses all issues raised in the June 30, 2005 Office as well as the issues raised in the December 21, 2004 Office Action. However, if any further issue should arise that may be addressed in an interview or an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Keith E. George
Registration No. 34,111

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8603 KEG:apr
Facsimile: 202.756.8087
Date: August 1, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**